

Hearing Date: September 24, 2018 at 1:30 p.m.
Objection Deadline: September 17, 2018 at 4:00 p.m.

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**

200 West 41st Street, 17th Floor
New York, NY 10036
Tel: (212) 972-3000
Fax: (212) 972-2245
Sean C. Southard
Brendan M. Scott
Lauren C. Kiss

Attorneys for Dowling College

OUTTEN & GOLDEN LLP

685 Third Ave 25th Floor
New York, NY 10017
Tel: (212) 245-1000
Fax: (646) 506-2060
Jack A. Raisner
René S. Roupinian

*Attorneys for the Class
Representatives and the Class*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

-----X		
In re	:	Chapter 11
	:	
DOWLING COLLEGE,	:	
f/d/b/a DOWLING INSTITUTE,	:	Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:	
ASSOCIATION,	:	
f/d/b/a CECOM,	:	
a/k/a DOWLING COLLEGE, INC.,	:	
	:	
Debtor.	:	
-----X		
	:	
LORI ZAIKOWSKI, on behalf of herself and all	:	
others similarly situated,	:	
	:	
Plaintiff,	:	Adv. Pro. No. 16-08187 (REG)
	:	

v.	:
	:
DOWLING COLLEGE, f/d/b/a DOWLING	:
INSTITUTE, f/d/b/a DOWLING COLLEGE	:
ALUMNI ASSOCIATION, f/d/b/a CECOM, a/k/a	:
DOWLING COLLEGE, INC.,	:
Defendant.	:
-----X	

**NOTICE OF HEARING FOR PRELIMINARY APPROVAL OF
JOINT MOTION PURSUANT TO 11 U.S.C. § 105 AND FED. R. BANKR. P. 7023
AND 9019 TO (I) APPROVE A SETTLEMENT PURSUANT TO FED. R. BANKR.
P. 9019, (II) CERTIFY CLASS B FOR SETTLEMENT PURPOSES ONLY, APPOINT
CLASS COUNSEL AND THE CLASS B REPRESENTATIVE AND PRELIMINARILY
APPROVE THE SETTLEMENT PURSUANT TO FED. R. BANKR. P. 7023, (III)
APPROVE THE FORM AND MANNER OF NOTICE TO CLASS MEMBERS OF THE
CLASS CERTIFICATION AND SETTLEMENT, (IV) SCHEDULE A FINAL HEARING
TO CONSIDER FINAL APPROVAL OF THE SETTLEMENT, (V) APPROVE THE
SETTLEMENT ON A FINAL BASIS, AND (VI) GRANT RELATED RELIEF**

PLEASE TAKE NOTICE that an initial hearing (the “Hearing”) to consider the *Joint Motion Pursuant to 11 U.S.C. § 105 and Fed. R. Bankr. P. 7023 and 9019 to (i) Approve a Settlement Pursuant to Fed. R. Bankr. P. 9019, (ii) Certify Class B for Settlement Purposes Only, Appoint Class Counsel and the Class B Representatives, and Preliminarily Approve the Settlement Pursuant to Fed. R. Bankr. P. 7023, (iii) Approve the Form and Manner of Notice to Class Members of the Settlement, (iv) Schedule a Final Hearing to Consider Final Approval of the Settlement, (v) Approve the Settlement on Final Basis, and (vi) Grant Related Relief* (the “Joint Motion”)¹, filed on behalf of Dowling College (“Dowling” or the “Debtor”), debtor and debtor-in-possession in the above-captioned chapter 11 case (the “Chapter 11 Case”), Lori Zaikowski (the “Class A Representative”), on behalf of herself and Class A Members, and prospective class representative Cathryn Mooney (the “Class B Representative”), on behalf of herself and Class B Members, shall be held before the Honorable Robert E. Grossman, United

States Bankruptcy Judge, at the United States Bankruptcy Court for the Eastern District of New York, United States Bankruptcy Court Eastern District of New York, Alfonse M. D'Amato Federal Courthouse, 290 Federal Plaza, Courtroom 860, Central Islip, New York 11722 (the “Bankruptcy Court”) on **September 24, 2018 at 1:30 p.m. (prevailing Eastern Time)**, or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that, as set forth more fully in the Joint Motion, at the Hearing, the Parties will request the Court to enter an order that (a) approves Class B and a certain Settlement Agreement between the Parties on a preliminary basis; (b) schedules a final hearing on the Joint Motion; and (c) approves the form and manner of service of notice to the Class Members concerning the Settlement Agreement, the procedure and deadline to opt-out from or object to the Settlement Agreement.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Joint Motion shall be made in writing, shall state with particularity the grounds therefor, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Eastern District of New York, and shall be filed with the Bankruptcy Court electronically by registered users of the Bankruptcy Court’s case filing system, and by all other parties in interest, mailed to the Clerk of the United States Bankruptcy Court, Eastern District of New York, Alfonse M. D’Amato Federal Courthouse, 290 Federal Plaza, Central Islip, New York 11722 on a CD-ROM or other electronic media, preferably in Portable Document Format (PDF), WordPerfect or any other Windows-based word processing format, and served upon the following parties so as **to be actually received no later than September 17, 2018 at 4:00 p.m. (prevailing Eastern**

¹ Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Joint Motion.

Time): (1) Klestadt Winters Jureller Southard & Stevens, LLP, 200 West 41st Street, 17th Floor, New York, New York 10036, Attention: Sean C. Southard and Brendan M. Scott, and (2) Outten & Golden LLP, 685 Third Avenue, 25th Floor, New York, NY 10017, Attn: Jack A. Raisner and René S. Roupinian.

Dated: New York, New York
August 31, 2018

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**

By: /s/ Sean C. Southard

Sean C. Southard
Lauren C. Kiss
200 West 41st Street., 17th Floor
New York, New York 10036
Tel: (212) 972-3000
Fax: (212) 972-2245
Email: ssouthard@klestadt.com

*Counsel to the Debtor and
Debtor-in-Possession*

Dated: New York, New York
August 31, 2018

OUTTEN & GOLDEN LLP

By: /s/ René S. Roupinian

René S. Roupinian
Jack A. Raisner
685 Third Avenue, 25th Floor
New York, NY 10017
Tel: (212) 245-1000
Fax: (646) 506-2060
Email: rsr@outtengolden.com
jar@outtengolden.com

*Counsel to the Class Representatives and the
Class*

